

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

FOUR WOMEN HEALTH SERVICES, LLC,

Plaintiff,

v.

ABUNDANT HOPE PREGNANCY RESOURCE
CENTER INC., d/b/a ATTLEBORO WOMEN'S
HEALTH CENTER, CATHERINE ROMAN,
NICOLE CARGES, DARLENE HOWARD, and
CHOOSE LIFE MARKETING, LLC,

Defendants.

Civil Action No: 1:24-cv-12283-JEK

PLAINTIFF'S UNOPPOSED MOTION FOR LEAVE TO FILE A SUR-REPLY

Plaintiff Four Women Health Services, LLC respectfully moves this Court for leave to file a short, eight-page sur-reply in further opposition to Defendant Choose Life Marketing, LLC's ("CLM") Motion to Dismiss. ECF 64. Plaintiff's proposed sur-reply is attached as Exhibit A.

As grounds for this motion, Plaintiff states as follows:

On June 3, 2025, CLM filed a reply in support of its Motion to Dismiss that exceeds the page limit permitted for opening memoranda under Local Rule 7.1(b)(4). ECF 86. Defendant neither sought nor received leave of Court to exceed this limit.

Defendant's reply brief raises new arguments that were not presented in its original motion or supporting memorandum, thereby depriving Plaintiff of a fair opportunity to respond.

In addition to exceeding the applicable page limits and introducing new arguments, Defendant's reply misrepresents relevant case law in ways that could mislead the Court absent clarification.

Defendant also makes inappropriate and unfounded accusations that undersigned counsel and affiant, Matthew Patton, violated a court order by citing certain documents associated with *Jane Doe v. Clearway Clinic, Inc.*, Docket No. 2385-CV-00708. As set forth in the affidavit attached hereto as Exhibit B, Defendant had access to key filings in *Clearway Clinic*, and never raised any concern or question regarding access to materials in that case, despite knowing that undersigned counsel is an attorney of record in that matter. All relevant documents in *Clearway Clinic*—except a single impounded affidavit—are publicly available.

A short sur-reply is necessary to address these issues and ensure a full and fair presentation of the arguments before the Court.

Defendant CLM does not oppose the relief requested in this Motion.

WHEREFORE, Plaintiff respectfully requests that the Court grant leave to file a sur-reply in further opposition to Defendant's Motion to Dismiss, and for such other and further relief as the Court deems just and proper.

DATED: July 16, 2025

Four Women Health Services, LLC,

By its attorneys,

/s/ Matthew Patton

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CERTIFICATE OF SERVICE

I, Emily Nash, certify that on July 16, 2025, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to defendants by electronically serving its counsel of record.

/s/ Emily Nash

Emily J. Nash

CERTIFICATE OF CONFERRAL

I, Emily Nash, hereby certify that, pursuant to Local Rule 7.1, Plaintiff's counsel corresponded with counsel for Defendant Choose Life Marketing, LLC regarding this motion, which it does not oppose.

/s/ Emily Nash

Emily J. Nash